

SORAMOTO et al. – Appln. No. 09/824,877

Attorney Docket No: 007874-0280041

-Amendment Under §1.116 -

REMARKS

Reconsideration and allowance of the present patent application based on the foregoing amendments and following remarks are respectfully requested.

In the Final Office Action of November 16, 2005, the Examiner rejected claims 1-3, 10-14, and 36, under 35 U.S.C. §102(e), as allegedly being anticipated by Bell '606 (U.S. Patent No. 6,574,606).

By this Amendment, claims 1-3, 10-14, and 36 have been cancelled, without prejudice or disclaimer, and new claims 37-38 have been added to provide a clearer presentation of the claimed subject matter. No new matter has been introduced. Accordingly, claims 37-38 are currently presented for examination, both of which are independent.

Applicants respectfully traverse the prior art rejections, under 35 U.S.C. §102(e), for the following reasons:

I. Rejections Under 35 U.S.C. §102(e).

As indicated above, amended new claim 37 positively recites that the server for the compensation-granting portal site comprises, *inter alia*, a user database, a member store database, a deal database, and a objected merchandise database. Claim 37 also positively recites that the server for the compensation-granting portal site processes the user database, the member store database, the deal database, and the objected merchandise database according to the program stored in a CPU, a ROM, and a RAM, and then, transmits the processed results to the Internet through the communication interface. These features are amply supported by the embodiments disclosed in the Specification. (*See, e.g.*, Specification, para. [0065] - [0065]; FIG. 2).

In contrast to the Examiner's assertions, the Bell '606 reference fails to teach the combination of features recited in claim 37. In particular, the Bell '606 reference is specifically directed to a method for cross-marketing products and services to

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customers of specific merchant web sites on the Internet by a merchant loyalty service provider web site on the Internet. (See, e.g., Bell '606, col. 1, lines 46-50). As such, Bell '606 discloses a system in which the customer accesses a merchant site 20 first and then, upon clicking on an offer, is subsequently redirected to a loyalty web site 30, which is based on a different server from the server hosting the merchant site, but is designed to have the same "look and feel" as the merchant site 20. (See, e.g., Bell '606, col. 3, lines 1-5). The loyalty web site 30 is designed to offer loyalty gifts to customers and, upon the receiving the requested customer information, loyalty web site 30 forwards the customer information to the gift provider while redirecting the customer back to the merchant site 20. (See, e.g., Bell '606, col. 3, lines 33-45).

In so doing, there is nothing in Bell '606 that suggests the use of a deal database and a objected merchandise database, as required by claim 37. Equally noteworthy, there is nothing in Bell '606 that suggests that the server for the compensation-granting portal site processes the user database, the member store database, the deal database, and the objected merchandise database according to the program stored in a CPU, a ROM, and a RAM, and then, transmits the processed results to the Internet through the communication interface, as also required by claim 37.

For at least these reasons, Applicants submit that Bell '606 cannot anticipate claim 37, under 35 U.S.C. §102(e). In addition, because independent claim 38 recites similar patentable features as noted with respect to claim 37, Bell '606 cannot anticipate claim 38, under 35 U.S.C. §102(e), is respectfully requested.

III. Conclusion.

All matters having been addressed and in view of the foregoing, Applicants respectfully request the entry of this Amendment, the Examiner's reconsideration of this application, and the immediate allowance of pending claims 37-38.

Applicants submit that the entry of this Amendment is proper under 37 C.F.R. §1.116 as the claim changes: (a) place the application in condition for allowance for

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the reasons discussed herein; (b) do not require any further consideration as the changes incorporate, in one form or another, features already searched; and (c) places the application in better form for an Appeal, should an Appeal be necessary.

If any point remains in issue which the Examiner feels may be best resolved through a personal or telephone interview, please contact the Undersigned at the telephone number listed below.

Please charge any fees associated with the submission of this paper to Deposit Account Number **033975**, Order No. **007874-0280041**. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

**PILLSBURY WINTHROP
SHAW PITTMAN LLP**



E. R. HERNANDEZ
Reg. No. 47,641
Tel. No. 703 770.7788
Fax No. 703.770.7901

Date: February 6, 2006
P.O. Box 10500
McLean, VA 22102
(703) 770-7900